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APPI	LICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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Mirita (S.)	and a second	ON CONTRACTOR AND	Commission and a superior of the second	ART UNIT PAPER NUMBER
Services:				JI O
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	Not	ice of Non-Con	npliant Amendment (37 CFI	R 1.121)
	The amendm	ala l	is considered non-compliant because i	-
	mat required un	ier 37 CFR 1.121, as amer	nded on September 8, 2000 (see 65 Fed. Reg. 54	
1238 C	D.G. 77, Sept. 19	, 2000).		
	1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).			
£				
	 The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). CFR 1.121(b)(1)(iii) 			
D	3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i)			
*				
	4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii)			
×	5. Other	See Claim	23	•
•				
			Inless applicant re-submits the preliminary	
	with revised	37 CFR 1.121 within O	NE MONTH of the mail date of this letter,	examination on the merits
	may comme action under	nce without entry of the 35 U.S.C. 132, and this	originally proposed preliminary amendmen ONE MONTH time limit is not extendable	c.
ĵΖ			AL ACTIONS Cince the charge mantiaged	anly annuare to be have
	AMENDMENT AFTER NON-FINAL ACTION: Since the above mentioned reply appears to be bona fide, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing			
	date of this	notice, whichever is long	ger, within which to supply the omission or	correction in order to
	avoid aband 1.136(a).	onment. EXTENSIONS	OF THIS TIME PERIOD MAY BE GRAI	TID UNDER IT OFK
Pa		ience attached to t	his correspondence is a copy of an	informational flver
(MPI	EP Bookmai	rk Bulletin on "Sim	plified Amendment Practice").	
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Changes to the Patent Rules

October 20, 2000

Volume 1, Issue 3

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This is the third in a series of Patent News Bulletins to assist you in keeping up to date with significant rule changes which affect your area.

Keep this copy to use as a bookmark for your present MPEP, or view this bulletin again on the USPTO Website.



Simplified Amendment Practice.

Replacement paragraphs/sections/claims to be used. 37 CFR 1.121

The rule package
"Changes to the Patent
Business Goals - Final
Rule," published in the
Federal Register on
September 8, 2000, 65
Fed. Reg. 54603 (Sept.
8, 2000), and the Official
Gazette on
September 19, 2000,
1238 Off. Gaz. Pat. Office 77 (September 19,
2000). The PBG rule
package makes a number
of revisions to Title 37.

The entire final rule may be found at the USPTO Website at http:// www.uspto.gov/web/ offices/dcom/olia/pbg/ index.html.

Areas and individuals
primarily affected by this
rule change include:
(1)Patent Examiners and
Tech Support Staff in the
Technology Centers
(2) Office of Patent
Publication

Any questions related to this change in practice should be directed to Joe Narcavage, Special Projects Exr., (703-305-1795) or Liz. Dougherty, Legal Advisor, (703-306-3156) OPLA.

Mandatory compliance with the revised rule is not required until March 1, 2001. It is suggested that applicants adopt the revised procedures on or after November 7, 2000, in order to adjust to the changes in amendment practice.

Under the new amendment practice, amendments to the specification must be made by the submission of clean new or replacement paragraph(s), section(s), specification, or claim(s). This practice will provide a specification (including claims) in clean, or substantially clean, form that can be effectively captured and converted by optical character recognition (OCR) scanning during the patent printing process.

The new practice requires applicant to provide, in addition to the clean version of a replacement paragraph/section/claim, a marked-up version using applicant's choice of a conventional

marking system to indicate the changes, which will aid the examiner in identifying the changes that have been made. The marked-up version must be based on the previous version and indicate (by markings) how the previous version has been modified to produce the clean version submitted in the current amendment. The term "previous version" means the version of record in the application as originally filed or from a previously entered amendment.

The following format is suggested in an amendment paper: (1) a clean version of each replacement paragraph/section/claim with clear instructions for entry; (2) starting on a separate page, any remarks/arguments (37 CFR 1.111); and (3) starting on a separate page, a marked-up

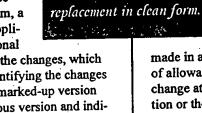
version entitled "Version with markings to show changes made."

Applicants will also be able to submit a clean set of all pending claims, consolidating all previous versions of pending claims from a series of separate amendments into a single clean version in a single amendment paper. This submission of a clean version of all of the pending claims will be construed as directing the cancellation of all previous versions of any pending claims. No marked-up version will be required to accompany the clean version where no changes other than the consolidation are being made.

The amended rule encourages issuance of applications with an examiner's amendment without practitioners/applicants having to file a formal amendment. Additions or deletions of subject matter in the specification, including the claims, may continue to be

made in an examiner's amendment at the time of allowance by instructions to make any change at a precise location in the specification or the claims. An examiner's amendment may incorporate a printed copy of a fax or email amendment submitted by applicant. Only that part of the e-mail or fax directed to a clean version, or a portion of, a paragraph/claim to be added should be printed and attached to the examiner's amendment, with a paper copy of the entire e-mail or fax being entered in the file. The electronic version of the e-mail is not required to be saved once the printed e-mail (and any attachments) becomes part of the application file record.

MPEP 714+ & 1302.04



Amendment by

paragraplı/claim

